

# Notice of Allowability

Application No.

10/537,044

Examiner

Joseph Leyson

Applicant(s)

HOFMANN, GUNTHER

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 29, 2005.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 08/29/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20060622.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jan K. Simpson on June 22, 2006.

The application has been amended as follows:

In the specification, paragraph [0002] has been amended as follows.

[0002] The invention concerns an apparatus ~~as set forth in the classifying portion of claim 1~~ for the production of transversely ribbed tubes.

In the specification, paragraph [0011] has been amended as follows.

[0011] The elongate wearing elements are desirably provided with two longitudinal slots which are provided in laterally mutually spaced parallel relationship and which are provided in coincident relationship with a coolant feed and a coolant discharge for the mold jaw halves. The coolant feed and the coolant discharge of the respective mold jaw half are desirably of the configuration as described in DE 102 57 363 C1 ~~patent application 10257363.8~~ which in that respect forms part of the disclosure of the present application.

In the specification, paragraph [0022] has been amended as follows.

[0022] The mold jaw halves 16 which along the common mold section 18 form a guide passage 28 for the transversely ribbed tube to be produced are each

Art Unit: 1722

provided with a cooling passage 40 with a coolant feed 42 and a coolant discharge 44. The respective coolant discharge feed 42 is provided in coincident relationship with the associated longitudinal slot 34. The respective coolant discharge 44 is provided in coincident relationship with the associated longitudinal slot 36. The coolant feed 42 and the coolant discharge 44 are preferably of such a configuration as is described in DE 102 57 363 C1 ~~patent application No 10257363.8~~.

In claim 1, line 16, --the-- has been inserted after "have"; and also line 16, "comprising" has been changed to --which comprise--.

In claim 6, line 2, --of the direction-changing members-- has been inserted after "material".

2. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or reasonably suggest the apparatus as recited by claims 1-8, particularly including the guide paths having the elongate wearing elements which are exchangeably provided on the base arrangement, wherein the guide paths along the common mold section and along the return sections have the elongate wearing elements which include the low-wear plastic material.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Antrobus (U.S. Patent 3,280,430, Hegler (U.S. Patent 3,776,679), Dickhut et al. (U.S. Patent 4,439,130) and Neubauer (U.S. Patent 6,206,670) are cited as of interest to show the state of the art.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Leyson whose telephone number is (571) 272-5061. The examiner can normally be reached on M-F 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gupta Yogendra can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
JL

  
ROBERT DAVIS  
PRIMARY EXAMINER  
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6/23/06